

**ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY**

DEPT. OF TRANSPORTATION
DOCKET SECTION

98 OCT 26 PM 3: 56

September 1, 1998

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Mr. Paul Brennan, Esq., Director
Office of Motor Carrier Research and Standards
Federal Highway Administration HCS- 1
U.S. Department of Transportation, Room 3 107
400 Seventh Street SW
Washington, DC 20590

Re: Docket No. FHWA-98-3414 - 28

Dear Mr. Brennan:

Advocates for Highway and Auto Safety (Advocates) respectfully requests an extension of thirty (30) additional days for the comment closing date of the captioned docket, an Advance Notice of Proposed Rulemaking (ANPRM) concerning use of the North American Uniform Out-of-Service Criteria (OOS Criteria) for evaluating the safety compliance of motor carriers. Advocates needs additional time to review the merits of this action, including further inquiry into the relationship between the OOS Criteria and the Federal Motor Carrier Safety Regulations. Moreover, the Federal Highway Administration has three concurrent motor carrier regulatory dockets open for public comment which close on September 17 or September 18, including the referenced docket, and the need to marshal the resources of a small organization in an effective way compels this request.

Although we appreciate that the Office of Motor Carriers would like to rely on its calendar for action on this topic, we emphasize that the pending docket is an ANPRM, not a proposed rule. We believe that a somewhat longer comment period would be in the public interest given the importance of this issue. We recognize that in the past FHWA, especially with regard to ANPRMs, has been willing to allow extra time to file comments after the formal closing date of a docket. However, in this instance, Advocates needs and asks for a full 30 days extension of the docket closing date until October 18, 1998.

We appreciate your careful consideration of this request.

Respectfully,


Gerald A. Donaldson, Ph.D.
Senior Research Director

HCS Control No. 98-220
Assigned To: HCS-10 / Schultz
Due Date: 9/24/98

